

# Wetlands Applications Decision Report

Decisions Taken  
11/27/2017 to 12/03/2017

Approved  
MAT  
12/4/17

## DISCLAIMER:

This document is published for information purposes only and does not constitute an authorization to conduct work. Work in jurisdiction may not commence until the applicant has received a posting permit.

Decisions are subject to appeal, and are reviewed by the federal agencies for compliance with Section 404 of the Federal Clean Water Act.

## APPEAL:

Any party aggrieved by a decision may file an appeal within 30 days of the date of this decision as specified in RSA 482-A:10, RSA 21-O:14, and the rules adopted by the Wetlands Council, Env-WtC 100-200.

The appeal must be filed directly with the Council, c/o the Council Appeals Clerk, who may be contacted at (603) 271-6072 or [atappeals@des.nh.gov](mailto:atappeals@des.nh.gov). The notice of appeal must set forth fully every ground upon which it is claimed that the decision complained of is unlawful or unreasonable. Only those grounds set forth in the notice of appeal can be considered by the council.

**MAJOR IMPACT PROJECT**

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**2016-00635**

**SAMUEL B ROWSE LIVING TRUST**

**NEW LONDON SUNAPEE LAKE**

**Requested Action:**

Repair and replace a 33 foot 2 inch x 36 foot 8 inch boathouse over public submerged lands in the same footprint, increasing the roof pitch resulting in a 6 foot increase in ridgeline height, remove 203 square feet of crib to be replaced with 9 piling to support an existing 203 square foot dock. and drive two additional piling and one ice cluster piling on 432 feet of frontage along Lake Sunapee, to the south of Herrick Cove, in New London.

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**Conservation Commission/Staff Comments:**

8-18-16 - No historic properties affected per DHR.

**APPROVE PERMIT**

Repair and replace a 33 foot 2 inch x 36 foot 8 inch boathouse over public submerged lands in the same footprint, increasing the roof pitch resulting in a 6 foot increase in ridgeline height, remove 203 square feet of crib to be replaced with 9 piling to support an existing 203 square foot dock. and drive two additional piling and one ice cluster piling on 432 feet of frontage along Lake Sunapee, to the south of Herrick Cove, in New London.

**With Conditions:**

1. All work shall be in accordance with plans by Misiaszek Turpin, PLLC dated February 24, 2017, and revised profiles by Misiaszek Turpin, PLLC dated November 6, 2017, as received by DES on November 7, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures as shown on the approved plans and profiles shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
8. The ridgeline of the boathouse roof shall not exceed Elevation 1113.15; being 20 feet above the standard operating lake level Elevation 1093.15.
9. Pilings shall be spaced a minimum of 12 ft. apart as measured piling center to piling center.
10. The repairs shall maintain the size, location, and configuration of the pre-existing structures with the exception of the approved increase in ridgeline height.
11. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
12. This permit does not allow dredging for any purpose.

**With Findings:**

1. This project is classified as a major project per Rule Env-Wt 303.02(d), modification of a docking facility providing 5 or more slips.
2. The Applicant has an average of 432 feet of frontage along Lake Sunapee.
3. The proposed modifications to the docking facility will not provide additional slips as defined per RSA 482-A:2, VIII.

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4. The Applicant has submitted a structural report from a professional engineer supporting the need to increase the roof pitch as requested so that the structure will better withstand expected snow loads.
  5. The proposed ice protection pilings will reduce the need for future ice-damage related repairs.
  6. The proposed modifications are for the purpose of improving the safety and stability of the existing structures and will not increase the environmental impact of the structures nor the number of slips provided on the frontage. For these reasons, and pursuant to Part Env-Wt 204 Waivers, Rule Env-Wt 402.21, Modification of Existing Structures is waived.
  7. The Department finds that because the project is not of significant public interest and will not impair the resources of Lake Sunapee a public hearing under RSA 482-A:8 is not required.
- Send to Governor and Executive Council-

2016-03212

**SKEELS, F DOYLE  
WENDELL, KAREN**

**DOVER**

**Requested Action:**

Remove an existing non-conforming tidal docking structure currently constructed on the owners and two adjacent properties consisting of a 4 foot x 80 foot permanent pier within freshwater wetland and upland tidal buffer zone connecting to a 4 foot x 76 foot permanent pier within tidal waters connecting to 3 foot wide x 45 foot long ramp connecting to a 6 foot x 50 foot and 10 foot x 46 foot T-shaped float secured by mooring anchors. Construct a new conforming tidal docking structure consisting of a 4 foot x 74 foot permanent pier within freshwater wetland and upland tidal buffer zone connecting to a 4 foot x 73 foot permanent pier within tidal waters connecting to 3 foot wide x 45 foot long ramp connecting to a 6 foot x 48 foot and 10 foot x 46 foot T-shaped float secured by mooring anchors, overall structure length seaward of highest observable tide line 169 feet, providing three slips on 169 feet of frontage on the Piscataqua River.

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**Conservation Commission/Staff Comments:**

2/17/17 Per DHR, no historic properties affected.

**APPROVE PERMIT**

Remove an existing non-conforming tidal docking structure currently constructed on the owners and two adjacent properties consisting of a 4 foot x 80 foot permanent pier within freshwater wetland and upland tidal buffer zone connecting to a 4 foot x 76 foot permanent pier within tidal waters connecting to 3 foot wide x 45 foot long ramp connecting to a 6 foot x 50 foot and 10 foot x 46 foot T-shaped float secured by mooring anchors. Construct a new conforming tidal docking structure consisting of a 4 foot x 74 foot permanent pier within freshwater wetland and upland tidal buffer zone connecting to a 4 foot x 73 foot permanent pier within tidal waters connecting to 3 foot wide x 45 foot long ramp connecting to a 6 foot x 48 foot and 10 foot x 46 foot T-shaped float secured by mooring anchors, overall structure length seaward of highest observable tide line 169 feet, providing three slips on 169 feet of frontage on the Piscataqua River.

**With Conditions:**

1. All work shall be in accordance with plans by Ambit Engineering, Inc. dated May 2016, and revised through August 2, 2017 as received by the NH Department of Environmental Services (NHDES) on August 3, 2017.
2. This permit shall not be effective until recorded at the Strafford County Registry of Deeds Office by the permittee. A copy of the recorded permit shall be submitted to the NHDES Wetlands Bureau prior to the commencement of construction.
3. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the NHDES Wetlands Bureau Pease District office and the local conservation commission in writing of the date on which work under this permit is expected to start.
4. There shall be no removal of mature trees along the shoreline of the river on this property associated with the construction of the dock.
5. This tidal docking structure consisting of a 4 foot x 74 foot permanent pier within freshwater wetland and upland tidal buffer zone connecting to a 4 foot x 73 foot permanent pier within tidal waters connecting to 3 foot wide x 45 foot long ramp connecting to a 6 foot x 48 foot and 10 foot x 46 foot T-shaped float secured by mooring anchors, overall structure length seaward of highest observable tide line 169 feet, providing three slips on 169 feet of frontage on the Piscataqua River, shall be the only structure on the frontage. All portions of the dock approved herein shall be at least 20 feet from abutting property lines or the imaginary extension of those lines into the water.
6. The height of the pier's decking over the surface of the tidal marsh at normal high tide shall equal the width of the decking.

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Decking shall have 3/4-inch spacing between the decking planks.

7. The seasonal structures, including but not limited to the gangway and floats, shall be removed during the non-boating season and stored on the existing pier or in an upland location.
8. Any future work in jurisdiction as specified in RSA 482-A on this property will require a new application and approval by the NHDES Wetlands Bureau.
9. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and administrative rules Env-Wq 1700.
10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
11. Construction of the dock shall occur from land, or from a barge and crane if land-based construction is not feasible, to reduce potential impacts to the salt marsh and intertidal zone.
12. Pile driving or pile removal work shall be done during low tide.
13. Pilings to be removed shall be cut level with the substrate rather than pulled, in order to limit the creation of turbidity.
14. All work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
15. All work shall be conducted in a manner that avoids excessive discharges of sediments to fish spawning areas.
16. All construction-related debris shall be properly disposed of outside of the areas subject to RSA 482-A.
17. Within three days of final grading or temporary suspension of work in an area that is adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

With Findings:

1. This is a major impact project per administrative rule Env-Wt 303.02(a), projects in sand dunes, tidal wetlands, or bogs, except for the repair of existing structures pursuant to administrative rule Env-Wt 303.04(v).
  2. The need for the proposed impacts has been demonstrated by the applicant per administrative rule Env-Wt 302.01. The current dock is non-conforming and crosses over two properties not owned by the applicant. The proposed tidal docking structure will be confined to the applicants property and at least 20 feet off the abutting property lines or the imaginary extensions waterward thereof.
  3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per administrative rule Env-Wt 302.03. The dock is the minimum length necessary to provide access at this location, and float will not be sitting on the mudflat at low tide.
  4. The applicant has demonstrated by plan and example that each factor listed in administrative rule Env-Wt 302.04(a) and (c), Requirements for Application Evaluation, has been considered in the design of the project.
    - a. The applicant coordinated with the NH Natural Heritage Bureau ("NHB") and it was determined that, although there was a NHB record present within the vicinity, NHB does not expect that it will be impacted by the proposed project.
    - b. With respect to the proposal's impact on navigation, the entire structure is located greater than 20 feet off the abutting property lines or the imaginary extensions waterward thereof. The design has been reviewed by the Pease Development Authority, Division of Ports and Harbors, who, per letter dated 12/9/2016, determined that the project would have no negative effect on navigation in the channel.
    - c. The project has been screened for IPaC resources, Essential Fish Habitat, shellfish habitat, submerged aquatic vegetation (SAV) and special aquatic sites (SAS), and no further habitat or resource impacts are expected as a result of the dock.
  5. The Dover Conservation Commission unanimously voted on November 14, 2016 to endorse the NHDES Wetlands application with the condition that the applicant investigate the feasibility of restoring the disturbed areas under the existing dock and reseeded to match existing conditions and that the pilings and debris be removed from the jurisdictional area. NHDES has conditioned the permit to restore the disturbed area after removal of the existing non-conforming dock.
  6. This dock is consistent with other tidal dock facility approvals in the seacoast.
  7. NHDES staff field inspection on 9/8/2016 found that plans accurately reflect field conditions.
- Send to Governor and Executive Council-

2017-00864

BOW, TOWN OF

**BOW BOW BROOK**

Requested Action:

Dredge and fill 6,577 square feet/385 linear feet of palustrine wetlands, perennial stream (Bow Bog Brook), and bank, which includes 3,306 square feet/50 linear feet of temporary impacts, to perform repairs and widening of the existing bridge. Repairs include resetting the wingwalls, waterproofing and backfilling the existing rigid frame units, and placement of rip rap.

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Conservation Commission/Staff Comments:

Time Extension Agreement to 1/13/18 emailed to Town Manager on 8/23/17 to address remaining compensatory mitigation and design criteria.

APPROVE PERMIT

Dredge and fill 6,577 square feet/385 linear feet of palustrine wetlands, perennial stream (Bow Bog Brook), and bank, which includes 3,306 square feet/50 linear feet of temporary impacts, to perform repairs and widening of the existing bridge. Repairs include resetting the wingwalls, waterproofing and backfilling the existing rigid frame units, and placement of rip rap. Compensatory mitigation for 32 linear feet of bank impacts includes a one-time payment of \$7,841.28 into the NHDES Aquatic Resource Mitigation Fund.

With Conditions:

1. All work shall be in accordance with plans by Dubois and King, Inc. titled NHDOT Project No. 40346, Dunklee Road Bridge Rehabilitation Project over Bow Bog Brook dated April 2017, revised July 20, 2017 as received by the Department on July 24, 2017. Any changes to the approved plans will require additional review and permitting for impacts located within NHDES jurisdiction.
2. This permit is contingent on review and approval, by the DES Wetlands bureau, of a final stream diversion (water control) plan prepared by a New Hampshire Licensed Professional Engineer ("PE"). Those plans shall depict and sequence all cofferdam locations, pumps, siltation/erosion/turbidity control measures implemented and dewatering locations.
3. This permit is not valid until the applicant/owner obtains construction easements on abutting parcels or written permission from abutting property owners if work is beyond the ROW. The permittee shall submit a copy of each recorded easement to the NHDES Wetlands Program prior to construction.
4. Personnel on the job site shall be made aware of the potential to encounter Wood turtle, Blanding's turtle, Eastern Hognose Snake, or Northern Black Racer in the work area or where equipment is staged in sandy, well-drained soils especially during nesting season from late May through June. The New Hampshire Fish and Game Department, Nongame Nongame and Endangered Wildlife Program indicated that if Wood turtles, Blanding's turtle, Eastern Hognose Snake, or Northern Black Racer snake are found in a work or staging area, please contact Kim Tuttle 603-271-6544 or Mike Marchand, Wetlands Systems Biologist at 603-271-3016 for instructions.
5. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Erosion control blankets shall be equivalent to North American Green C125BN specification.
6. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
7. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
8. Work within the stream, inclusive of work associated with temporary diversion, shall be limited to periods of low flow. High flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.
9. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.
10. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.
11. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the waters.
13. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.
14. Temporary cofferdams shall be entirely removed immediately following construction.
15. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.
16. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
17. Areas of temporary impact shall be restored to original conditions following the completion of work.
18. Materials used to emulate a natural stream channel surface must be rounded, smooth stones similar to the natural stream substrate and shall not include angular rip-rap. Stream bed materials shall be consistent in size and gradation with the undisturbed channel bottom in the immediate reference reach.

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19. The rip rap areas along the structure footings and wing walls shall be filled with well graded soils and voids should be filled with gravel and smaller stones to create a smooth surface for wildlife to utilize. The rip rap that is used for slope stabilization at the wing walls shall not be graded to a smooth surface as the intent is to limit wildlife from crossing the roadway.
20. The stream bed shall be graded to maintain depths and sinuosity consistent with the reference reach during low-flow conditions.
21. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project.
22. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.
23. Faulty equipment shall be repaired prior to construction.
24. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.
25. All refueling of equipment shall occur outside of surface waters or wetlands during construction.
26. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
27. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season , or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
28. Where construction activities have been temporarily suspended within the growing season, all exposed areas shall be stabilized within 14 days by mulching and seeding.
29. Where construction activities have been suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

With Findings:

1. This is a Major impact project per Administrative Rule Env-Wt 303.02(p), Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a). The stream has a watershed size of 5.9 square miles which meets Tier 3 stream crossing criteria per Env-Wt 904.04.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01. The existing bridge was constructed in 2006 and was listed on the Municipal 'Redlist' in 2008 due to several deficiencies including streambed scour, wingwall scour and erosion, wingwall and retaining wall structural failure, improper waterproofing, roadway sides lops settlement, roadway width and drainage issues. Removal of the boulder along the southwest upstream bank is proposed to limit further erosion contributing to the scour at the bridge. The boulder is a remnant of the previous construction.
3. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
4. The existing structure is a rectangular concrete rigid frame (precast) structure. The span is 20 feet and the vertical opening from the streambed to the low chord of the bridge is 6.0 feet. The bridge is approximately 45 feet long from upstream to downstream. The existing structure does accommodate the 50-year storm event but does not accommodate the 100-year design storm event.
5. A Hydrologic and Hydraulic Analysis for the Dunklee Road over Bow Bog Brook indicated the existing structure is undersized from a hydraulic perspective because it falls short of minimum NHDOT and NHDES elevation guidelines. The drainage area contributing to the Dunklee Road crossing is 5.9 square miles. The velocities at the structure are high and range from 11 to 12 feet per second and the foundation is considered shallow requiring large riprap to protect bridge foundations.
6. An Alternative Design request was submitted by the applicant per Env-Wt 904.09. The project engineer has stated the proposed crossing meets the General Design Considerations per Env-Wt 904.01. The proposed project involves the rehabilitation of the existing bridge. The existing bridge was built in 2006, prior to when the NH Stream Crossing Guidelines were in effect. The existing opening does not pass the 50 year or 100-year storm but there is adequate storage capacity upstream of the bridge. The downstream velocity for the 100-year storm event was calculated to remain unchanged. The agent indicates no reduction in hydraulic capacity will occur due to the proposed work. The agent indicates the repairs will not cause an increase in the 100-year base flood elevation and will not overtop the roadway.
7. There are no historical or archaeological properties affected per Cultural Resources Effect Memo dated January 8, 2016.
8. The United States Department of the Interior Fish and Wildlife Service has determined there are no critical habitats located within the project area per letter dated October 10, 2016.
9. The New Hampshire Natural Heritage Bureau (NH-NHB) datacheck results letter dated January 28, 2016 identified the Blanding's turtle, Eastern Hognose snake, Northern black racer, and Wood turtle in the vicinity of the project. The applicant's agent has coordinated with NHF&G and conditions have been included in the permit to avoid impacts to the identified species.
10. The applicant has submitted a check in the amount of \$7,841 to the Aquatic Resource Mitigation Program (ARM Fund) for compensatory mitigation for the permanent stream channel and bank impacts located along Bow Bog Brook.
11. The proposed project is intended as a Tier 3 crossing repair not a structure replacement. The existing 20 foot bridge

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span was constructed in 2006 and was not constructed in accordance with the NH Stream Crossing Guidelines as the guidelines were not required at that time. An alternative design was requested by the applicant's agent. Compensatory mitigation was submitted to the Aquatic Resource Mitigation Fund.

12. The project plans are stamped by a New Hampshire Licensed Professional Engineer ("PE").

2017-02782

## HOPKINTON, TOWN OF

### HOPKINTON DOLF BROOK

#### Requested Action:

Dredge and fill a total of 8,017 square feet and 1,146 linear feet (including 5,747 square feet and 802 linear feet of temporary impacts) within the bed and banks of Dolf Brook (Tier 3) to replace three existing 72 inch diameter culverts along Briar Hill Road over Dolf Brook (Tier 3) with precast box culverts.

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#### Conservation Commission/Staff Comments:

9/14/17 Per DHR, no historic properties affected.

#### APPROVE PERMIT

Dredge and fill a total of 6,995 square feet and 1,146 linear feet (including 4,344 square feet and 802 linear feet of temporary impacts) within the bed and banks of Dolf Brook (Tier 3) to replace three existing 72 inch diameter culverts along Briar Hill Road over Dolf Brook (Tier 3) with precast box culverts. The project has been determined to be self-mitigating with streambed restoration efforts and realignment of culvert No. 2 that are intended to improve function for wildlife and aquatic organism passage and decrease the potential for bank erosion. Bioengineering methods have also been incorporated in the bank stabilization design to reduce overall impacts.

#### With Conditions:

1. All work shall be in accordance with plans by Hoyle, Tanner & Associates, Inc. titled Dolf Brook Culvert Replacements, Briar Hill Road No. 2, 3, & 4, for the Town of Hopkinton dated March 2017 as received by the Department on September 14, 2017, and revised Sheet 35 dated November 20, 2017 as received by the Department on November 21, 2017.
2. If any work associated with the project authorized by this permit will encroach on an abutter's property or occur within 20 feet of the property line, then prior to starting work the permittee shall (1) obtain temporary construction easements or other written agreements from the owner of the abutting property, and (2) submit a copy of each agreement to the DES Wetlands Program.
3. This permit is contingent on review and approval, by the DES Wetlands bureau, of a final erosion control and stream diversion plan prepared by a New Hampshire Licensed Professional Engineer ("PE"). Those plans shall depict all siltation/erosion/turbidity control measures implemented and dewatering locations.
4. All activities associated with this project shall be conducted in-compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.
5. Personnel on the job site shall be made aware of the potential to encounter Wood turtle in the work area or where equipment is staged in sandy, well-drained soils especially during nesting season from late May through June. The New Hampshire Fish and Game Department, Nongame Nongame and Endangered Wildlife Program indicated that if Wood turtles are found laying eggs in a work or staging area, please contact Kim Tuttle 603-271-6544 or Mike Marchand, Wetlands Systems Biologist at 603-271-3016 for instructions.
6. All construction personnel must be made aware of the potential presence of black racers. Information flyers should be distributed to all on site contractors. All observations of black racers should be documented with photos and reported to the NHFG Department (Brendan Clifford [brendon.clifford@wildlife.nh.gov](mailto:brendon.clifford@wildlife.nh.gov)) if possible.
7. The use of welded plastic or 'biodegradable plastic' erosion control netting should be avoided at the work site. Erosion control blankets shall be equivalent to the North American Green C125BN specification.
8. A certified wetlands scientist or qualified professional, as applicable, shall monitor the project during construction to verify that all work is done in accordance with the approved plans and narratives, adequate siltation and erosion controls are properly implemented, and no water quality violations occur. A follow-up report including photographs of all stages of construction shall be submitted to the DES Wetlands Program within 60 days of final site stabilization.
9. Work within the stream, inclusive of work associated with temporary diversion, shall be limited to periods of low flow. High

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flows can be caused by seasonal runoff or precipitation; the permittee shall monitor local forecasts to review weather conditions.

10. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and remain until the area is stabilized. Silt fence(s) must be removed once the area is stabilized.

11. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate work area, and shall remain until suspended particles have settled and the water at the work site has returned to normal clarity.

12. The Contractor responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. Prior to commencing work on a substructure located within surface waters, a cofferdam shall be constructed to isolate the substructure work area from the waters.

14. No work within the confined area shall proceed until the cofferdam is fully effective, and water flow is controlled.

15. Temporary cofferdams shall be entirely removed immediately following construction.

16. Areas of temporary impact shall be restored to original conditions following the completion of work.

17. Materials used to emulate a natural stream channel surface must be rounded, smooth stones similar to the natural stream substrate and shall not include angular rip-rap. Stream channel bed construction shall not result in hyporheic flow condition.

18. The channel at the box culvert inlet and outlet must maintain the natural and a consistent streambed elevation and not impede stream flow. Culverts shall not result in a perched condition.

19. Streambed simulation material shall be appropriately sized for location within the culvert, shall not consist of angular stone, and shall be consistent with material in the stream.

20. Extreme precautions shall be taken within riparian areas to limit unnecessary removal of vegetation during construction and areas cleared of vegetation to be revegetated with native like species within three days of the completion of this project. Effort shall be made to use native grown or locally-sourced species where available.

21. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive plant species. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

22. Discharge from dewatering of work areas shall be to sediment basins that are: a) located in uplands; b) lined with hay bales or other acceptable sediment trapping liners; c) set back as far as possible from wetlands and surface waters, in all cases with a minimum of 20 feet of undisturbed vegetated buffer.

23. Dredged material shall be placed outside of the jurisdiction of the DES Wetlands Bureau.

24. Construction equipment shall be inspected daily for leaking fuel, oil and hydraulic fluid.

25. Faulty equipment shall be repaired prior to construction.

26. The contractor shall have appropriate oil spill kits on site and readily accessible at all times during construction and each operator shall be trained in its use.

27. All refueling of equipment shall occur outside of surface waters or wetlands during construction.

28. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

29. Within three days of final grading in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

30. Where construction activities have been temporarily suspended within the growing season, all exposed areas shall be stabilized within 14 days by mulching and seeding.

31. Where construction activities have been suspended outside the growing season, all exposed areas shall be stabilized within 14 days by mulching and tack. Slopes steeper than 3:1 shall be stabilized by matting and pinning.

32. A post-construction report documenting the status of the project area and restored jurisdictional impact areas shall be submitted to the NHDES Wetlands Program within 60 days of the completion of construction. The report shall be prepared by a Certified Wetland Scientist or Qualified Professional, as applicable and must include project photographs. NHDES Wetlands Program may require subsequent monitoring and corrective measures if NHDES deemed the area inadequately stabilized or restored.

#### With Findings:

1. This is a Major impact project per Administrative Rule Env-Wt 303.02(p). Any project that includes a new or replacement stream crossing which meets the criteria for a tier 3 stream crossing as specified in Env-Wt 904.04(a). The stream has a watershed size of 1.71 square miles which meets Tier 3 stream crossing criteria per Env-Wt 904.04.

2. The proposed impacts include the replacement of the existing 72" diameter corrugated metal pipe at Briar Hill Road culvert No. 2 with a 9 foot span x 10 foot precast concrete box culvert, replacement of the existing 72" diameter corrugated metal pipe Briar Hill Road culvert No. 3 with a 9' x 8' precast box culvert, and replacement of the existing 72" diameter corrugated metal pipe with a 9' x 10' precast concrete box culvert.

3. The need for the proposed project is to replace three existing culverts that convey Dolf Brook beneath Briar hill Road. The



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existing stream alignment and culvert sizes are causing upstream scour and downstream embankment erosion. Culverts No. 2 and No. 3 have downstream plunge pools that impeded aquatic organism passage.

4. The Briar Hill Road No. 2 culvert is proposed to have a skewed alignment which maintains the approximate outlet location and moves the inlet more in line with Dolf Brook. The 9 foot span x 7 foot rise hydraulic opening has been sized to meet the 100-year storm event hydraulic requirements. Bioengineering stabilization measures including speckled alder live stakes are proposed downstream of the culvert between elevations 395' and 396' with Highbush blueberry proposed above elevation 396'. A natural stream bottom is proposed through the crossing and the project will repair the existing perched condition.

5. The Briar Hill Road No. 3 culvert with 9 foot span x 5 rise hydraulic opening has been sized to meet the 100-year storm event hydraulic requirements. A natural stream bottom will be installed to maintain aquatic organism passage.

6. The Briar Hill Road No. 4 culvert with 9 foot span x 6.5 foot rise hydraulic opening has been sized to meet hydraulic requirements. Bioengineering measures including installation of speckled alder live stakes are proposed upstream and downstream of the culvert within the proposed rip rap from the stream bed to approximate elevation 384.5'. A natural stream bottom is proposed through the crossing and the project will repair the existing perched condition at culverts No. 2 and No. 3.

7. The bankfull width for Dolf Brook at the Briar Hill Road crossings were measured to be 14 feet downstream and 14 feet upstream. The replacement structures were determined to require a 20' opening. The existing structures are 72 inch diameter culverts. The proposed structures each have a 9 foot span and will allow for increased hydraulic capacity, a natural streambed simulation within each culvert, reduce overall velocity and relieve upstream and downstream erosion.

8. The applicant's agent has requested an Alternative Design for each of the crossing structures. Administrative Rule Env-Wt 904.04(d) requires either an open-bottom culvert or span structure. The agent has determined the required span structure is not practicable as they would increase the roadway profile requiring an increase in roadway profile causing additional wetland and right-of-way impacts, and is would also be cost-prohibitive. The structure is proposed to be embedded with a natural stream bed simulation. The applicant's agent has provided a technical report indicating the culvert meets the General Design Considerations per Env-Wt 904.01. The Hydrology and Hydraulic Analysis determined that the culverts were fully submerged during the 100-year storm event although did not overtop the roadway. The slope will be reduced for two of the crossings and will remain the same for one of the crossings.

9. A letter of Agreement for impacts on or within 20' of an abutting property were received from the owner's of Lots 250/009, 250/008, 250/015, 250/012, 250/011/001, 249/010, 249/002, and 249/011.

10. The NH Natural Heritage Bureau has identified the presence of Northern black racer and the Wood turtle in the vicinity of the project areas per datacheck review letters dated February 14, 2017. The NHFG has reviewed the project and required avoidance of the use of welded plastic or biodegradable plastic netting in erosion control matting, and required distribution of information regarding the black racer and wood turtle to site personnel. The applicant has confirmed the openness ratio for each culvert. The requirements have been included as conditions of the permit.

11. Compensatory mitigation was not required for the project as it was determined to be self-mitigating. The proposed increased hydraulic openings, erosion stabilization, and culvert realignment is intended to relieve upstream and downstream erosion issues while providing overall reduced velocity along Dolf Brook through the crossings. The streambed restoration efforts and realignment of culvert No. 2 are intended to improve function for wildlife and aquatic organism passage and decrease the potential for bank erosion. Bioengineering methods have been incorporated in the bank stabilization design.

12. The project plans are stamped by a New Hampshire Licensed Professional Engineer ("PE").

#### MINOR IMPACT PROJECT

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2013-00427

FAIRVIEW REALTY CORP

GILFORD LAKE WINNIPESAUKEE

Requested Action:

Request permit time extension.

Repair an existing boathouse over public waters with no change in location or configuration on Lake Winnepesaukee, Gilford.

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Conservation Commission/Staff Comments:

Con Com signed Wet Application

11/27/2017 to 12/03/2017

#### APPROVE TIME EXTENSION

Repair an existing boathouse over public waters with no change in location or configuration on Lake Winnepesaukee, Gilford.

##### With Conditions:

1. All work shall be in accordance with plans by DMC Surveyors, as received by the NH Department of Environmental Services (DES) on February 08, 2013.
2. This permit shall not be effective until it has been recorded with the county Registry of Deeds Office by the Permittee. A copy of the recorded permit shall be submitted to the DES Wetlands Bureau, by certified mail, return receipt requested, prior to construction.
3. The repairs shall maintain the size, location and configuration of the pre-existing structures.
4. This permit to replace or repair existing structures shall not preclude the DES from taking any enforcement action or revocation action if the DES later determines that the structures represented as "existing" were not previously permitted or grandfathered.
5. All construction related debris shall be placed outside of the jurisdiction of the DES Wetlands Bureau.
6. Appropriate siltation, erosion, and turbidity controls shall be in place prior to construction, maintained during construction, and shall remain until the area is stabilized.
7. Work authorized shall be carried out such that discharges in spawning or nursery areas during spawning seasons shall be avoided, and impacts to such areas shall be avoided or minimized to the maximum extent practicable during all times of the year.
8. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and spawning areas shall be avoided.
9. All activities shall be in accordance with the Shoreland Water Quality Protection Act, RSA 483-B. The owner is responsible for obtaining any Shoreland Permit that may be required per RSA 483-B, for construction, excavation or fill that will occur within the Protected Shoreland.

##### With Findings:

1. The owner, authorized agent or applicant certifies that this permit qualifies for a permit extension in accordance with RSA 482-A:3, XIV-a, and Env-Wt 502.01.
2. This permit has been extended in accordance with RSA 482-A:3, XIV-a and Env-Wt 502.01.

2017-00909

WBTSCC LP  
WBTSCC LP

RYE

##### Requested Action:

The applicant requests to amend the permit to reflect changes to the approved plans requested by Rockingham County Superior Court.

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#### APPROVE AMENDMENT

Impact 3,541 square feet within the previously-developed 100-foot tidal buffer zone for the restoration of Sanders Poynt as required by Rockingham County Superior Court.

##### With Conditions:

1. All work shall be in accordance with plans by TF Moran, Inc. dated March 16, 2017, and revised through 8/22/17 as received by the NH Department of Environmental Services (DES) on October 3, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permitted shall notify the DES Wetlands Program and the Rye Conservation Commission in writing of the date on which work under this permit is expected to start.
3. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require further permitting.
4. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code Admin. Rules Env-Wq 1400 during and after construction.

11/27/2017 to 12/03/2017

5. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
6. Work shall be done during annual low flow conditions and during the months of May through September. No in-stream work shall occur after October 1 unless a waiver of this condition is issued in writing by DES in consultation with NH Fish & Game.
7. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
8. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
9. Only indigenous native plant species shall be planted on this site.
10. No non-native ornamental plants shall be introduced to or used on this site.
11. In September of the first growing season, the permittee shall notify the DES Wetlands Program in writing of the certified wetlands scientist or qualified professional, as applicable, who will be responsible for monitoring and ensuring that the restoration/enhancement/construction areas are constructed in accordance with the approved plans. The permittee shall re-notify the DES Wetlands Program if the identity of the individual changes during the project.
12. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction. Similar inspections, reports and remedial actions shall be undertaken in at least the second and third years following the completion of each restoration site.
13. Restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Program.
14. No more than 0.16% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
14. Restoration of temporary impact areas shall not be considered successful if sites are invaded by nuisance species such as common reed or purple loosestrife during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to DES that proposes measures to be taken to eradicate nuisance species during this same period.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a) Projects in any bank, flat, marsh, or swamp or in and adjacent to any waters of the state or within 100 feet of the highest observable tide line that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05 and Env-Wt 303.03(b) Projects that involve work within 50 feet of a saltmarsh that do not meet the criteria of Env-Wt 303.02;
2. The impacts are necessary to comply with Rockingham County Superior Courte Case Number 218-2013-CV-00134; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The impacts occur within the previously-developed tidal buffer zone; therefore the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) and (c) Requirements for Application Evaluation, has been considered in the design of the project.
5. No comments were submitted from the Rye Conservation Commission.
6. The application included NH Natural Heritage Bureau (NHB) Datacheck Results Letter NHB 17-0623 identifying four (4) threatened and endangered plant species in the vicinity of the project.
7. In response to the aforementioned letter, NHB made several suggestions that have been incorporated into the design of the project.

2017-02700

MENDILLO, JANE

NEW LONDON SUNAPEE LAKE

Requested Action:

Temporarily impact 600 square feet to remove 115 linear feet of failed stone retaining wall and restore shoreline with a combination of placed boulders and plantings on an average of 143 of frontage along Lake Sunapee, in New London.

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#### APPROVE PERMIT

Temporarily impact 600 square feet to remove 115 linear feet of failed stone retaining wall and restore shoreline with a combination of placed boulders and plantings on an average of 143 of frontage along Lake Sunapee, in New London.

#### With Conditions:

1. All work shall be in accordance with plans by Pellettieri Associates, Inc. dated September 5, 2017, as received by DES on September 13, 2017.
2. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
6. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
7. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
8. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.
9. This permit shall not preclude DES from initiating appropriate action if DES later determines that any of the structures depicted as "existing" on the plans submitted by or on behalf of the permitted were not previously permitted or grandfathered.
10. Work shall be done during low flow and in the dry only.
11. Boulders shall be located landward of the shoreline at the normal high water, Elev. 1094.15, and shall not extend than 1 foot lakeward of that line at any point.
12. The permittee/permittee's contractor shall revegetate the disturbed area with trees, shrubs and ground covers representing the density and species diversity of the existing stand of vegetation removed for this project, exclusive of any invasive or nuisance species.
13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

#### With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(k) projects that disturb between 50 and 200 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

2017-02726

NORMA L O'BRIEN REVOCABLE TRUST

#### NEW DURHAM MERRYMEETING LAKE

#### Requested Action:

Install a 6 foot x 30 foot seasonal pier, a seasonal boat lift, and a seasonal personal watercraft lift on approximately 170 feet of frontage along Merrymeeting Lake in New Durham.

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11/27/2017 to 12/03/2017

Inspection Date: 10/13/2017 by ROSEMARY E AURES

**APPROVE PERMIT**

Install a 6 foot x 30 foot seasonal pier, a seasonal boat lift, and a seasonal personal watercraft lift on approximately 170 feet of frontage along Merrymeeting Lake in New Durham.

**With Conditions:**

1. All work shall be in accordance with plans as received by DES on September 11, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-WVq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of these new structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
8. No portion of the pier shall extend more than 30 feet from the shoreline at full lake elevation (Elev. 648.5).
9. All seasonal structures, including watercraft lifts, shall be removed for the non-boating season.

**With Findings:**

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d), alteration of docking facilities that will provide 3 slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has approximately 170 feet of shoreline frontage along Merrymeeting Lake in New Durham.
6. A maximum of 3 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The combined existing and proposed docking facilities will provide 3 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

**2017-02732**

**VARNEY REALTY LLC  
FIDLER, WILLIAM**

**GILFORD LAKE WINNIPESAUKEE**

**Requested Action:**

Remove an unpermitted 5 foot x 12 foot wharf, relocate 2 tie-off piling, install a boatlift and two personal watercraft lifts, repair a 9 foot x 60 foot jetty, three 3-piling ice clusters, two tie-off piling, and a 12 foot x 36 foot 4 inch crib pier on an average of 105 feet on frontage along Lake Winnepesaukee, in Gilford.

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11/27/2017 to 12/03/2017

Conservation Commission/Staff Comments:

8/28/17 Con. Com. sent their request to place a "hold" on the application prior to our receiving the application package. They plan to conduct an on-site investigation and issue comments.

9/14/17 Con. Com. members noted that the existing plan showed a walkway or deck with no dimensions between the dock at the water's edge and the breakwater. The short deck at the edge of the shore has a handwritten note that it is to be removed and, as such, the structure was not shown on the proposed plan. The structure, with its dimensions, is not indicated for removal in the project description. Also, no siltation controls were shown in the plan. The Con. Com. voted for approval with the comment that the project description should be changed to include removal of this shoreline structure between the crib and breakwater and that siltation erosion control measures should be in place during work.

APPROVE PERMIT

Remove an unpermitted 5 foot x 12 foot wharf, relocate 2 tie-off piling, install a boatlift and two personal watercraft lifts, repair a 9 foot x 60 foot jetty, three 3-piling ice clusters, two tie-off piling, and a 12 foot x 36 foot 4 inch crib pier on an average of 105 feet on frontage along Lake Winnepesaukee, in Gilford.

With Conditions:

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated August 17, 2017, as received by DES on September 11, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
7. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
8. Only existing rocks that have fallen from the structure(s) shall be used for the repairs. No additional rocks shall be used, whether obtained from the site or brought to the site.
9. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
10. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
11. This permit does not allow dredging for any purpose.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(a) projects in any bank adjacent to waters of the state that do not meet any of the criteria of Env-Wt 303.02, Env-Wt 303.04 or Env-Wt 303.05.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The proposed modifications do not affect the number of slips provided by the docking facility.

2017-02856

DAVID H FARINELLA TRUST

STRAFFORD BOW LAKE

Requested Action:

Impact 738 square feet of bank along 34 linear feet of shoreline in order to construct a 32 foot x 23 foot perched beach with 3 foot wide stairs to the water and install a 6 foot x 40 foot hinged, seasonal pier on an average of 386 feet of frontage along Bow Lake in Strafford.

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Conservation Commission/Staff Comments:

9-21-17 - No historic properties affected per DHR.

APPROVE PERMIT

Impact 738 square feet of bank along 34 linear feet of shoreline in order to construct a 32 foot x 23 foot perched beach with 3 foot wide stairs to the water and install a 6 foot x 40 foot hinged, seasonal pier on an average of 386 feet of frontage along Bow Lake in Strafford.

With Conditions:

1. All work shall be in accordance with plans by Berry Surveying & Engineering dated August 22, 2017 and September 11, 2017, as received by DES on September 20, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. There shall be no impacts related to the construction of the Perch beach beyond the immediate beach footprint.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
8. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
9. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. Any subdivision of the property frontage will require removal of a sufficient portion of the docking structures to comply with the dock size and density requirements in effect at the time of the subdivision.
11. Only those structures shown on the approved plans shall be installed or constructed along this frontage. All portions of the structures shall be at least 20 feet from the abutting property lines or the imaginary extension of those lines into the water.
12. No portion of the pier shall extend more than 40 feet from the shoreline at full lake elevation.
13. All seasonal structures shall be removed for the non-boating season.
14. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 514.82). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
15. The steps installed for access to the water shall be located completely landward of the normal high water line.
16. No more than 10 cubic yards of sand shall be used and all sand shall be located above the normal high water line.
17. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
18. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
19. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

With Findings:

1. This is a minor impact project per Administrative Rule Env-Wt 303.03(d) construction or modification of a docking system that provides 4 boat slips including previously existing boat slips.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.
5. The applicant has an average of 386 feet of shoreline frontage along Bow Lake.
6. A maximum of 5 slips may be permitted on this frontage per Rule Env-Wt 402.13, Frontage Over 75'.
7. The existing and proposed docking facilities will provide 4 slips as defined per RSA 482-A:2, VIII and therefore meets Rule Env-Wt 402.13.

11/27/2017 to 12/03/2017

8. The existing docking structures on the frontage provide 2 slips but are owned by a separate individual holding an easement over a portion of the frontage.

#### MINIMUM IMPACT PROJECT

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2017-00946

SMITH, DAVID & SARA

#### HAMPSTEAD SUNSET LAKE

##### Requested Action:

Applicant requests to retain 400 square feet of fill to fill a man-made pond that has become a safety hazard.

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##### Conservation Commission/Staff Comments:

7-26-17 - No historic properties affected per DHR.

##### APPROVE AFTER THE FACT

Retain 400 square feet of fill to fill a man-made pond that has become a safety hazard.

##### With Conditions:

1. All work shall be in accordance with plans received by the NH Department of Environmental Services (DES) on July 21, 2017.
2. Any further alteration of areas on this property that are subject to RSA 482-A jurisdiction will require a new application and further permitting.
3. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and Env-Wq 1700.

##### With Findings:

1. On March 30, 2017, NHDES received a complaint in-person that the property owners had filled a pond and stumped trees on the property. NHDES personnel conducted an inspection that day as they were in the area. Inspection found an area of disturbance of exposed soils where the pond was located.
2. On April 7, 2017, NHDES sent an alleged violator letter to the property owner notifying them of the complaint.
3. On May 23, 2017, NHDES sent an email to the property owner notifying them to submit a Wetlands Permit Application to retain the impacts for filling the man-made pond.
4. On July 21, 2017, NHDES received the requested Wetlands Permit Application from the property owner requesting to retain the impacts for filling the man-made pond.
5. This is a minimum impact project per Administrative Rule Env-Wt 303.04(o) Projects deemed minimum impact by the department based on the degree of environmental impact.
6. The impacts are necessary to eliminate a safety hazard by filling the existing man-made pond; therefore, the need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
7. The man-made pond is approximately 30-feet landward in uplands from Wash Pond and is not hydrologically connected to Wash Pond. As a result, the pond is dry and does not hold water. Therefore, the applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
8. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.
9. The application included NH Natural Heritage Bureau (NHB) Datecheck Results Letter File NHB17-1535 identifying one vertebrate species of special concern in the vicinity of the project, Eastern Pond Mussel (*Ligumia nasuta*).
10. In response to the above-referenced species, NH Fish and Game, Nongame and Endangered Species Program reviewed the project and found, "The pond was created in uplands and is already filled, we have no additional comments



regarding this permit."

11. No comments were received from the Hampstead Conservation Commission.

2017-02867

SNIDER, CAROLYN A/JEFFREY M

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

**Requested Action:**

Dredge and fill 200 square feet (SF) within the banks of Lake Winnepesaukee (impacting 27 linear feet) to install a new 4-foot wide pervious walkway with stone steps to provide access to the water. In addition, temporarily impact 525 square feet for construction access around the new walkway and to remove the failing infiltration steps and revegetate the areas with native plants for bank stabilization.

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**Conservation Commission/Staff Comments:**

10-5-17 - No historic properties affected per DHR.

**APPROVE PERMIT**

Dredge and fill 200 square feet (SF) within the banks of Lake Winnepesaukee (impacting 27 linear feet) to install a new 4-foot wide pervious walkway with stone steps to provide access to the water. In addition, temporarily impact 525 square feet for construction access around the new walkway and to remove the failing infiltration steps and revegetate the areas with native plants for bank stabilization.

**With Conditions:**

1. All work shall be in accordance with plans by Stephens Landscaping Professionals, LLC., dated September 11, 2017, and revised through November 28, 2017, as received by the NH Department of Environmental Services (NHDES) on November 28, 2017.
2. Not less than 5 state business days prior to starting work authorized by this permit, the permittee shall notify the DES Wetlands Program and the local conservation commission in writing of the date on which work under this permit is expected to start.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and NH Administrative Rules Env-Wq 1400 during and after construction.
4. No person undertaking any activity shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards in RSA 485-A and NH Administrative Rules Env-Wq 1700.
5. Pursuant to NHDES Shoreland Permit #2017-02874, no more than 20.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from the NHDES Shoreland Program, in accordance with RSA 483-B and New Hampshire Administrative Rules Env-Wq 1400.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. Erosion control products shall be installed per manufacturers recommended specifications.
8. Work shall be conducted in a manner so as to minimize turbidity and sedimentation to surface waters and wetlands.
9. All dredged and excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
10. The contractor responsible for completion of the work shall use techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. Construction equipment shall be inspected daily for leaking fuel, oil, and hydraulic fluid prior to entering surface waters or wetlands or operating in an area where such fluids could reach groundwater, surface waters, or wetlands.
12. The permittee's contractor shall maintain appropriate oil/diesel fuel spill kits on site that are readily accessible at all times during construction, and shall train each operator in the use of the kits.
13. All refueling of equipment shall occur outside of surface waters or wetlands during construction. Machinery shall be staged and refueled in upland areas only.
14. Faulty equipment shall be repaired immediately prior to entering areas that are subject to RSA 482-A jurisdiction.
15. Any fill used shall be clean sand, gravel, rock, or other suitable material.
16. Work shall be carried out in a time and manner such that disturbance to migratory waterfowl breeding areas and

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spawning areas shall be avoided.

17. Precautions shall be taken to prevent import or transport of soil or seed stock containing nuisance or invasive species such as Purple Loosestrife, Knotweed, or Glossy buckthorn. The contractor responsible for work shall appropriately address invasive species in accordance with the NHDOT Best Management Practices for Roadside Invasive Plants (2008).

18. To prevent the introduction of invasive plant species to the site, the permittee's contractor(s) shall clean all soils and vegetation from construction equipment before such equipment is moved to the site.

19. The permittee shall control invasive plant species such as Purple loosestrife (*Lythrum salicaria*) and Glossy buckthorn (*Frangula alnus*) by measures agreed upon by the DES Wetlands Program if any such species is found in the stabilization areas during construction or during the early stages of vegetative establishment.

20. The permittee/permittee's contractor shall regrade temporary impacts to pre-construction conditions and plant native species similar to those within the wetland prior to impact. The permittee shall implement corrective measure promptly if needed to ensure the plantings survive, exclusive of any invasive or nuisance species.

21. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.

22. Restoration of temporary impact areas shall have at least 75% successful establishment of wetlands vegetation after two (2) growing seasons, or they shall be replanted and re-established until a functional wetland is replicated in a manner satisfactory to the DES Wetlands Program.

23. Restoration of temporary impact areas shall not be considered successful if sites are invaded by nuisance species such as Glossy buckthorn or purple loosestrife during the first full growing season following the completion of construction. The permittee shall submit a remediation plan to DES that proposes measures to be taken to eradicate nuisance species during this same period.

24. A post-construction report, prepared by a Certified Wetland Scientist or Qualified Professional, as applicable, documenting status of the project area and restored jurisdictional area or buffer, including photographs, shall be submitted to the DES Wetlands Program within 60 days of the completion of construction. DES Wetlands Program may require subsequent monitoring and corrective measures if DES deemed the area inadequately stabilized or restored.

#### With Findings:

1. This is a Minimum Impact Project per NH Administrative Rule Env-Wt 303.04(m), as the project involves less than 50 linear feet of impact along the bank of Lake Winnepesaukee.

2. The need for the proposed impacts has been demonstrated by the applicant per Rule Env-Wt 302.01, as the existing infiltration steps for access to the water are failing.

3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Rule Env-Wt 302.03, as the temporarily disturbed areas will be restored with native plants and the walkway will be a pervious structure.

4. The applicant has demonstrated by plan and example that each factor listed in Rule Env-Wt 302.04(a) Requirements for Application Evaluation, has been considered in the design of the project.

5. In a review letter dated September 26, 2017, and received by DES on September 29, 2017, the NH Division of Historical Resources (DHR) stated that no historic properties are expected to be affected by the proposed project.

6. In a review letter dated August 30, 2017, and received by DES on September 21, 2017, the NH Natural Heritage Bureau (NHB) stated that there was no record in the vicinity of the project.

7. In a regulatory review of the site dated September 12, 2017, the US Fish and Wildlife Service found that while Northern long-eared bats (*Myotis septentrionalis*), small whorled pogonia (*Isotria medeoloides*), and various bird species are present at the site, there are no critical habitats for any of these species at this location.

8. As of November 30, 2017, no comments of concern have been received by NHDES from abutters or local governing organizations.

#### EXPEDITED MINIMUM

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2017-03261

PLUMB III, LAUREN/RALPH

#### GILFORD LAKE WINNIPESAUKEE

#### Requested Action:

Repair a 3 foot 3 inch x 22 foot finger pier and a 7 foot 8 inch x 22 foot finger pier accessed by 4 foot 3 inch x 104 foot piling pier on an average of 60 feet of frontage along Lake Winnepesaukee in Gilford.

\*\*\*\*\*

**APPROVE PERMIT**

Repair a 3 foot 3 inch x 22 foot finger pier and a 7 foot 8 inch x 22 foot finger pier accessed by 4 foot 3 inch x 104 foot piling pier on an average of 60 feet of frontage along Lake Winnepesaukee in Gilford.

**With Conditions:**

1. All work shall be in accordance with plans by Winnepesaukee Marine Construction dated October 28, 2017, as received by DES on November 2, 2017.
2. This permit is not valid and effective until it has been recorded with the appropriate county Registry of Deeds by the applicant. Prior to starting work under this permit, the permittee shall submit a copy of the recorded permit to the DES Wetlands Program by certified mail, return receipt requested.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
5. Appropriate turbidity controls shall be installed prior to construction, shall be maintained during construction such that no turbidity escapes the immediate dredge area and shall remain until suspended particles have settled and water at the work site has returned to normal clarity.
6. Only those structures shown on the approved plans shall be installed or constructed along this frontage.
7. The repairs shall maintain the size, location, and configuration of the pre-existing structures.
8. All construction-related debris shall be placed outside of areas subject to RSA 482-A jurisdiction.
9. This permit does not allow dredging for any purpose.
10. The permittee may make repairs to the permitted structures as necessary, prior to the permit expiration date, provided that prior to performing any repair the permittee notifies the DES Wetlands Program and the Conservation Commission, in writing, of the proposed start and completion dates

**With Findings:**

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(v) maintenance, repair, and replacement of existing docking structures in-kind.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**2017-03306**

**GRAPPONE, ANTHONY/ELIZABETH**

**TUFTONBORO LAKE WINNIPESAUKEE**

**Requested Action:**

Impact 365 square feet of bank along 20.5 feet of frontage in order to construct a 18.5 foot x 20 foot beach with 6 foot wide stairs to the water on an average of 161 feet of frontage along Lake Winnepesaukee, on Cow Island, in Tuftonboro.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 365 square feet of bank along 20.5 feet of frontage in order to construct a 18.5 foot x 20 foot beach with 6 foot wide stairs to the water on an average of 161 feet of frontage along Lake Winnepesaukee, on Cow Island, in Tuftonboro.

**With Conditions:**

1. All work shall be in accordance with plans by NH Environmental Consultants, LLC dated September 20, 2017, as received by DES on November 6, 2017.

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2. There shall be no temporary impacts outside of the immediate footprint of the proposed perched beach allowed for the completion of the project unless an amended plan showing such impacts is received and approved by the Department prior to construction.
3. All development activities associated with this project shall be conducted in compliance with applicable requirements of RSA 483-B and N.H. Code of Administrative Rules Env-Wq 1400 during and after construction.
4. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a)(2)(D)(iv).
5. Work shall be carried out in a time and manner to avoid disturbances to migratory waterfowl breeding and nesting areas.
6. Appropriate siltation and erosion controls shall be in place prior to construction, shall be maintained during construction, and shall remain until the area is stabilized. Temporary controls shall be removed once the area has been stabilized.
7. All excavated material and construction-related debris shall be placed outside of the areas subject to RSA 482-A. Any spoil material deposited within 250 feet of any surface water shall comply with RSA-483-B.
8. Stone placed along the beach front for the purpose of retaining sand shall be placed above and landward of those rocks currently located along the normal high water line (Elevation 504.32). The rocks existing at the normal high water line shall remain undisturbed such that the natural shoreline remains visible and intact.
9. The steps installed for access to the water shall be located completely landward of the normal high water line.
10. No more than 10 cubic yard of sand shall be used and all sand shall be located above the normal high water line.
11. The permittee shall provide appropriate diversion of surface water runoff to prevent erosion of beach area.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tackifiers on slopes less than 3:1 or netting and pinning on slopes steeper than 3:1.
13. A combination of trees, shrubs and ground covers representing the density and species diversity of the vegetation present prior to construction shall be replanted beginning at a distance no greater than 5 feet landward from the beach area.

With Findings:

1. This is a minimum impact project per Administrative Rule Env-Wt 303.04(m) projects that disturb less than 50 linear feet, measured along the shoreline, of a lake or pond or its bank.
2. The need for the proposed impacts has been demonstrated by the applicant per Env-Wt 302.01.
3. The applicant has provided evidence which demonstrates that this proposal is the alternative with the least adverse impact to areas and environments under the department's jurisdiction per Env-Wt 302.03.
4. The applicant has demonstrated by plan and example that each factor listed in Env-Wt 302.04(b) Requirements for Application Evaluation, has been considered in the design of the project.

**PERMIT BY NOTIFICATION**

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2017-03268

DRESSER, PHILIP

**LACONIA LAKE WINNIPESAUKEE**

Requested Action:

Repair in-kind of the 5 ft. X 35 ft. pier; replacement in-kind of the 2 single pilings located 14 ft. off the end of the dock; and the replenishment not to exceed 8 cubic yards of sand on the beach according to plan drawings received by NHDES on 11/29/2017 on frontage along Winnepesaukee in Laconia.

\*\*\*\*\*

**PBN IS COMPLETE**

Repair in-kind of the 5 ft. X 35 ft. pier; replacement in-kind of the 2 single pilings located 14 ft. off the end of the dock; and the replenishment not to exceed 8 cubic yards of sand on the beach according to plan drawings received by NHDES on 11/29/2017 on frontage along Winnepesaukee in Laconia.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

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2. And this project is classified as a minimum impact project per Rule Env-Wt 303.04(aa), for the replenishment of sand on an existing beach with no sand below the high water line; not to exceed 10 cubic yards of sand; and no more than one replenishment in any 6 year period.

2017-03301

REINSTEIN, JOHN

**ANTRIM GREGG LAKE**

Requested Action:

Repair in-kind of 42 ft. of retaining wall section according to plans by Brickstone Land Use Consultants, LLC dated 10/25/2017 on frontage along Gregg Lake in Atrium.

\*\*\*\*\*

PBN IS COMPLETE

Repair in-kind of 42 ft. of retaining wall section according to plans by Brickstone Land Use Consultants, LLC dated 10/25/2017 on frontage along Gregg Lake in Atrium.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(c) for the repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If this wall is to be refaced such additional width shall not exceed 6 inches.

2017-03313

MARTIN, GARY

**ALTON LAKE WINNIPESAUKEE**

Requested Action:

Replace in-kind 6 dock pilings supporting the existing 6 ft. X 35 ft. pier; 2 fender pilings; and the ice cluster at the end of the pier with no work on the breakwater according to the plan drawing by Winnepesaukee Marine Construction dated 11/02/2017 on frontage along Lake Winnepesaukee in Alton.

\*\*\*\*\*

PBN IS COMPLETE

Replace in-kind 6 dock pilings supporting the existing 6 ft. X 35 ft. pier; 2 fender pilings; and the ice cluster at the end of the pier with no work on the breakwater according to the plan drawing by Winnepesaukee Marine Construction dated 11/02/2017 on frontage along Lake Winnepesaukee in Alton.

With Findings:

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(v), repair of existing docking structures with no change in size, location or configuration.

2017-03391

SHERIDAN, MARK & LINDA

**SPRINGFIELD**

Requested Action:

Replenishment of existing maximum 85 ft. X 25 ft. beach with no more than 10 cubic yards of new sand according to the plan drawing received by NHDES on 11/22/2017 on frontage along Baptist Pond in Springfield.

\*\*\*\*\*

**PBN IS COMPLETE**

Replenishment of existing maximum 85 ft. X 25 ft. beach with no more than 10 cubic yards of new sand according to the plan drawing received by NHDES on 11/22/2017 on frontage along Baptist Pond in Springfield.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(aa), for the replenishment of sand on an existing beach with no sand below the high water line; not to exceed 10 cubic yards of sand; and no more than one replenishment in any 6 year period.

**2017-03439**

**HAHN, ERIC**

**FRANKLIN WEBSTER LAKE**

**Requested Action:**

Replacement in-kind of 16 ft. X 3 ft. X 1 ft. retaining wall according to plan drawings by Keach-Nordstrom Associates, Inc. dated 09/21/2017 along frontage on Webster Lake in Franklin.

\*\*\*\*\*

**PBN IS COMPLETE**

Replacement in-kind of 16 ft. X 3 ft. X 1 ft. retaining wall according to plan drawings by Keach-Nordstrom Associates, Inc. dated 09/21/2017 along frontage on Webster Lake in Franklin.

**With Findings:**

1. This project is classified as a minimum impact project per Rule Env-Wt 303.04(c) for the repair or replacement of existing retaining walls that is performed "in the dry" during drawdown of waters, and that results in no change in height, length, location, or configuration. If this wall is to be refaced such additional width shall not exceed 6 inches.

**2017-03467**

**LAKEWOOD COTTAGE ASSOCIATION**

**TILTON WINNISQUAM LAKE**

**Requested Action:**

Installation of an 8" PVC dry hydrant near the Lakewood Drive shared association beach on Lake Winnisquam.

\*\*\*\*\*

**PBN IS COMPLETE**

Installation of an 8" PVC dry hydrant near the Lakewood Drive shared association beach on Lake Winnisquam.

**FORESTRY NOTIFICATION**

\*\*\*\*\*

2017-03407

BEESON, BRY

ORFORD Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
ORFORD; TAX MAP# 8-89; LOT# 96

2017-03411

NOYES, DAVID

HANOVER Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
HANOVER; TAX MAP# 11; LOT(S)# 1, 2

2017-03461

LUBRANO, STEVE

HANOVER Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
HANOVER; TAX MAP#12; LOT#39

2017-03465

DANIEL WEBSTER COUNCIL INC

GILMANTON IRON WORKS Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
GILMANTON IRON WORKS; TAX MAP#406; LOT# 48

2017-03476

NH PUBLIC GOLF COURSES INC

SUTTON Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
SUTTON; TAX MAP# 5; LOT# 548-577

2017-03484

TOWN OF ERROL

ERROL Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
ERROL; MAP# R3; LOT# 8

2017-03485

WINSOR, JUNE

RUMNEY Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
RUMNEY; MAP# 9; LOT#1002

2017-03496

BROWNELL FAMILY TRUST

OSSIPEE Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
OSSIPEE; MAP(S)# 228/230; LOT(S)# 001/005

2017-03499

CARTER BOISMONT REALTY TRUST

JEFFERSON Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
JEFFERSON; MAP# 21; LOT(S)# 3,4



2017-03502

FADDEN, TOM

MADISON Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
MADISON; MAP# 247; LOT# 34; UNIT# 2

2017-03503

WALLMAN, CARL

NORTHWOOD Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
NORTHWOOD; MAP(S)# 228/223; LOT(S)# 1/1

2017-03505

SMITH, GARY

NEWFIELDS Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
NEWFIELDS; MAP#210; LOT# 22; UNIT#12

2017-03512

JONES/HARRIS, MICHAEL/REBECCA

FRANCESTOWN Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
FRANCESTOWN; MAP# 5; LOT# 24

TRAILS NOTIFICATION

\*\*\*\*\*

2017-03509

US FOREST SERVICE

CRAWFORDS PURCH Unnamed Stream

\*\*\*\*\*

COMPLETE NOTIFICATION  
CRAWFORDS PURCHASE; MAP# N/A; LOT# NA

**LAKES-SEASONAL DOCK NOTIFICATION**

\*\*\*\*\*

2017-03471

KONO, ALAN

WEBSTER WINNEPOCKET LAKE

Requested Action:

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Lake Winnepocket in Webster.

\*\*\*\*\*

COMPLETE NOTIFICATION

Installation of a seasonal pier not to exceed 6 ft. X 30 ft. on frontage along Lake Winnepocket in Webster.

**ROADWAY MAINTENANCE NOTIFICATION**

\*\*\*\*\*

2017-03478

NH DEPT OF TRANSPORTATION, DISTRICT 4

GREENFIELD Unnamed Stream

\*\*\*\*\*

RETURNED

\*\*\*\*\*

2017-02902

WALPOLE, TOWN OF

WALPOLE Unnamed Wetland

Requested Action:

Deny permit for untimely response.

\*\*\*\*\*

11/27/2017 to 12/03/2017

**DENY PERMIT-INSUFFICIENT & UNTIMELY RESP**  
Deny permit for untimely response.

**With Findings:**

1. A request for additional information letter dated September 26, 2017, addressed to the applicant, requested that the applicant provide required application materials.
2. If the requested additional information was not received by DES within 20 days of the request, DES shall deny the application.
3. DES did not receive the requested additional information within the 20 days and therefore the application has been denied.

**SHORELAND PERMIT**

\*\*\*\*\*

**2015-03396**

**DIPACE, MARGARET/ROBERT**

**CONWAY SACO RIVER**

**Requested Action:**

Impact 9,864 sq. ft. to construct a new house, driveway and septic system on a vacant lot.

**AMENDMENT DESCRIPTION:** Plans revised in order to include the installation of a 12 ft. x 12 ft. deck.

\*\*\*\*\*

**APPROVE AMENDMENT**

Impact 9,864 sq. ft. to construct a new house, driveway and septic system on a vacant lot.

**AMENDMENT DESCRIPTION:** Plans revised in order to include the installation of a 12 ft. x 12 ft. deck.

**With Conditions:**

1. All work shall be in accordance with plans by White Mountain Survey & Engineering, Inc. dated December 22, 2015, revised January 26, 2016 and received by the NH Department of Environmental Services (DES) on November 28, 2017.
2. This permit is contingent on approval by the DES Subsurface Systems Bureau.
3. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9,V(a)(2)(D)(iv).
4. No more than 19% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from DES.
5. At least 2,699 sq. ft. of the Natural Woodland Buffer beyond the primary building setback must remain in an unaltered state in order to comply with RSA 483-B:9,V(b)(2).
6. All activities conducted in association with the completion of this project shall be conducted in a manner that complies with applicable criteria of Administrative Rules Chapter Env-Wq 1400 and RSA 483-B during and after construction.
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Ws 1700 or successor rules in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock or other suitable material.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may

be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

13. This permit shall not preclude DES from taking any enforcement or revocation action if DES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-02826

**NH DEPT OF ENVIRONMENTAL SERVICES**

**FREEDOM OSSIPEE LAKE**

**Requested Action:**

Impact 14, 215 square feet of protected shoreland in order to construct a crest gate control dam and auxiliary spillway to replace the existing Berry Bay spillway dam.

\*\*\*\*\*

**Conservation Commission/Staff Comments:**

See file 2017-02824 for all backup documents.

**APPROVE PERMIT**

Impact 14, 215 square feet of protected shoreland in order to construct a crest gate control dam and auxiliary spillway to replace the existing Berry Bay spillway dam.

**With Conditions:**

1. All work shall be in accordance with plans by NHDES Dam Bureau dated August 2011 and received by the NH Department of Environmental Services (NHDES) on November 21, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. Impacted areas shall be restored and maintained as vegetated areas in accordance with the submitted restoration plan.
4. Native vegetation within 25% of the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-WWq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

**With Findings:**

1. In accordance with RSA 483-B:9 III to IV certain structures may be permitted by the commissioner as necessary, consistent with the purposes of this chapter and other state law.
2. The clearing of trees and ground cover in a section of the waterfront buffer is necessary for construction of an auxiliary spillway.

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3. This impact area is necessary and the reconstruction of this dam and auxiliary spillway is consistent with the purposes of this chapter and other state law.

2017-02883

GKN AEROSPACE INC

**CHARLESTOWN CONNECTICUT RIVER**

**Requested Action:**

Impact 11,975 square feet of protected shoreland in order to construct an addition to the primary structure, a septic system, and a fire lane.

\*\*\*\*\*

**APPROVE PERMIT**

Impact 11,975 square feet of protected shoreland in order to construct an addition to the primary structure, a septic system, and a fire lane.

**With Conditions:**

1. All work shall be in accordance with plans by Osgood Construction dated August 28, 2017 and received by the NH Department of Environmental Services (NHDES) on September 29, 2017.
2. Neither the new structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the impact area prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 1.55% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 77,000 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03063

PELHAM SCHOOL DISTRICT

**PELHAM BEAVER BROOK**

11/27/2017 to 12/03/2017

Requested Action:

Impact 1,185 square feet of protected shoreland in order to directional drill for a natural gas main distribution line project intended to serve the Pelham community.

\*\*\*\*\*

APPROVE PERMIT

Impact 1,185 square feet of protected shoreland in order to directional drill for a natural gas main distribution line project intended to serve the Pelham community.

With Conditions:

1. All work shall be in accordance with plans by Normandeau Associates dated May 1, 2017 and received by the NH Department of Environmental Services (NHDES) on October 13, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more of the existing area within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. No native vegetation shall be removed from within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
5. No impacts to natural ground cover shall occur within the waterfront buffer.
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03120

FEENER-LAING, JERILYN

OSSIPEE OSSIPEE LAKE

Requested Action:

Impact 3,060 square feet of protected shoreland in order to replace septic system and construct wheelchair paths and ramps for access to beach and residential structure.

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11/27/2017 to 12/03/2017

#### APPROVE PERMIT

Impact 3,060 square feet of protected shoreland in order to replace septic system and construct wheelchair paths and ramps for access to beach and residential structure.

#### With Conditions:

1. All work shall be in accordance with plans by David A. Cluff dated October 10, 2017 and received by the NH Department of Environmental Services (NHDES) on October 19, 2017.
2. The proposed septic system may not be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No changes from existing grade have been requested or approved.
5. No more than 18.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
6. Native vegetation within an area of at least 3,557 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
7. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
8. Cleared areas within the waterfront buffer legally developed prior to July 1, 2008 may be maintained but not enlarged.
9. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
10. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
11. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
12. Any fill used shall be clean sand, gravel, rock, or other suitable material.
13. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.
14. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.
15. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
16. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
17. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
18. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
19. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03159

EATON, TIMOTHY

#### WAKEFIELD GREAT EAST LAKE

#### Requested Action:

Impact 8,670 square feet of protected shoreland in order to construct a primary structure, septic system, well, and driveway.

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11/27/2017 to 12/03/2017

#### APPROVE PERMIT

Impact 8,670 square feet of protected shoreland in order to construct a primary structure, septic system, well, and driveway.

#### With Conditions:

1. All work shall be in accordance with plans by Fogg Design dated November 17, 2017 and received by the NH Department of Environmental Services (NHDES) on November 22, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 15.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 3,217 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).
7. Cleared areas within the waterfront buffer legally developed prior to July 1, 2008 may be maintained but not enlarged.
8. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
9. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
10. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
11. Any fill used shall be clean sand, gravel, rock, or other suitable material.
12. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
13. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
14. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
15. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03175

PANAGIOTAKOS, JOHN

#### FREEDOM OSSIPEE LAKE

#### Requested Action:

Impact 10,997 square feet (SF) of protected shoreland in order to construct a primary structure, driveway, septic, and a temporary access road.

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#### APPROVE AMENDMENT

Impact 10,997 square feet (SF) of protected shoreland in order to construct a primary structure, driveway, septic, and a temporary access road.



11/27/2017 to 12/03/2017

With Conditions:

1. All work shall be in accordance with plans by Mark McConkey dated November 14, 2017 and received by the NH Department of Environmental Services (NHDES) on November 16, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 15% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 2,733 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

2017-03217

**PENNICHUCK WATER WORKS INC**

**MERRIMACK LOWER MERRIMACK RIVER**

Requested Action:

Impact an additional 3,358 square feet (SF) of protected shoreland due to a change in the water main installation technique by using coffer dams. This revised approach also includes a change in the pipe type from HDPE pipe to zinc coated ductile iron pipe. Impacts within the protected waterfront will result from repairing the embankment to original slope and condition with a gabion mattress to allow for trench and cover installation for the water main.

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APPROVE PERMIT

Impact an additional 3,358 square feet (SF) of protected shoreland due to a change in the water main installation technique by using coffer dams. This revised approach also includes a change in the pipe type from HDPE pipe to zinc coated ductile iron pipe. Impacts within the protected waterfront will result from repairing the embankment to original slope and condition with a gabion mattress to allow for trench and cover installation for the water main.

With Conditions:

1. All work shall be in accordance with plans by Tighe and Bond Consulting Engineers dated October 25, 2017 and received by the NH Department of Environmental Services (NHDES) on October 31, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 16.2% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 5,897 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

11/27/2017 to 12/03/2017

6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03218

BAZZOCCHI, DIANNE/STEPHEN

**MERRIMACK BABOOSIC LAKE**

Requested Action:

Replace the primary structure and garage, remove an additional structure and section of driveway.

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APPROVE PERMIT

Replace the primary structure and garage, remove an additional structure and section of driveway.

With Conditions:

1. All work shall be in accordance with plans by Meridian Land Services revised through November 28, 2017 and received by the NH Department of Environmental Services (NHDES) on November 29, 2017.
2. Neither the new primary structure nor any septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 29.1% of lot 105 and 24.6% of lot 151 within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 1,861 sq. ft. within the Natural Woodland Buffer of lot 151 located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. No native vegetation shall be removed from within the Natural Woodland Buffer of lot 105 located between 50 and 150 ft. landward of the reference line in order to comply with RSA 483-B:9, V, (b), (2).
7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
10. Any fill used shall be clean sand, gravel, rock, or other suitable material.
11. The proposed stormwater management structures shall be installed and maintained to effectively absorb and infiltrate stormwater.

12. Photographs documenting the construction of the proposed stormwater management structures shall be submitted to the Department prior to any party taking up occupancy of the new residential primary structure.

13. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

14. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

15. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

16. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03221

BRIGHTON, NANCY

#### WASHINGTON MILLEN POND

##### Requested Action:

Impact 21,798 square feet (SF) of protected shoreland in order to construction of a 2 bedroom dwelling, a garage with 1 bedroom dwelling unit, installation of an EDA to serve an existing 2 bedroom dwelling and the 2 proposed buildings; installation of a gravel drive, and well.

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##### APPROVE PERMIT

Impact 21,798 square feet (SF) of protected shoreland in order to construction of a 2 bedroom dwelling, a garage with 1 bedroom dwelling unit, installation of an EDA to serve an existing 2 bedroom dwelling and the 2 proposed buildings; installation of a gravel drive, and well.

##### With Conditions:

1. All work shall be in accordance with plans by Donald LR. Mellen Surveyor, LLC dated August 31, 2017 and received by the NH Department of Environmental Services (NHDES) on October 31, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 7.7% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 9,215 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

11/27/2017 to 12/03/2017

12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03235

PFEFFER, CARY

**SANDWICH SQUAM LAKE**

Requested Action:

Impact 21,214 square feet (SF) of protected shoreland in order to remove existing house; remove and fill in existing foundation; construct new foundation and house; septic system will be abandoned and site graded; terrace, walkways, and modified driveway constructed; construct a 10 ft. x 20 ft. addition to an existing nonconforming structure.

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APPROVE PERMIT

Impact 21,214 square feet (SF) of protected shoreland in order to remove existing house; remove and fill in existing foundation; construct new foundation and house; septic system will be abandoned and site graded; terrace, walkways, and modified driveway constructed; construct a 10 ft. x 20 ft. addition to an existing nonconforming structure.

With Conditions:

1. All work shall be in accordance with plans by WM Evans Engineering, LLC dated October 23, 2017 and received by the NH Department of Environmental Services (NHDES) on October 31, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 16.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 6,965 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03252

VIRGINIA W MURRAY REVOCABLE TRUST

**MEREDITH LAKE WINNIPESAUKEE**

Requested Action:

Impact 2,800 square feet (SF) of protected shoreland in order to remove the existing lakeside patio (215 SF) & attached deck (312 SF) and replace with a 350 SF patio. Replace the existing front walkway with a permeable walkway (75 SF). Install a permeable walkway (390 SF) to connect the residence & back patio to the beach & permanent crib structure. Install a driveway infiltration trenches, dry wells & retaining wall with plantings.

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#### APPROVE PERMIT

Impact 2,800 square feet (SF) of protected shoreland in order to remove the existing lakeside patio (215 SF) & attached deck (312 SF) and replace with a 350 SF patio. Replace the existing front walkway with a permeable walkway (75 SF). Install a permeable walkway (390 SF) to connect the residence & back patio to the beach & permanent crib structure. Install a driveway infiltration trenches, dry wells & retaining wall with plantings.

#### With Conditions:

1. All work shall be in accordance with plans by Stephens Landscaping Professionals, LLC dated October 24, 2017 and received by the NH Department of Environmental Services (NHDES) on November 2, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 17.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 3,600 SF within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. All pervious technologies used shall be installed and maintained to effectively absorb and infiltrate stormwater.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03264

D'ORAZIO, PAUL

#### DOVER BELLAMY RIVER

#### Requested Action:

Impact 1,340 square feet (SF) of the protected shoreland in order to construct access ramps for the purpose of removing the Upper and Lower Sawyer Mill Dams, restoring the river, and protecting adjacent infrastructure.

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#### APPROVE PERMIT

Impact 1,340 square feet (SF) of the protected shoreland in order to construct access ramps for the purpose of removing the Upper and Lower Sawyer Mill Dams, restoring the river, and protecting adjacent infrastructure.

#### With Conditions:

1. All work shall be in accordance with plans by Gomez and Sullivan Engineers, D.P.C. dated October 30, 2017 and received by the NH Department of Environmental Services (NHDES) on November 2, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

11/27/2017 to 12/03/2017

3. No more than 55.8% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
5. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
6. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
7. Any fill used shall be clean sand, gravel, rock, or other suitable material.
8. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
9. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
10. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03274

DINNDORF, KENNETH/LINDA

**MOULTONBOROUGH LAKE WINNIPESAUKEE**

Requested Action:

Impact 24,900 square feet (SF) of protected shoreland in order to replace the existing residence with a new, larger residence. Construct a detached garage, modify the driveway to provide access to the detached garage, construct a 13 ft. diameter gazebo, extend and existing walkway, construct a patio west of the residence, and install a new septic system.

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APPROVE PERMIT

Impact 24,900 square feet (SF) of protected shoreland in order to replace the existing residence with a new, larger residence. Construct a detached garage, modify the driveway to provide access to the detached garage, construct a 13 ft. diameter gazebo, extend and existing walkway, construct a patio west of the residence, and install a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Ames Associates dated September 21, 2017 and received by the NH Department of Environmental Services (NHDES) on November 3, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 19.9% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 5,625 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

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9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks. The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.
12. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03296

SHORETTE, CHRISTOPHER/KAREN

**NEW DURHAM MERRYMEETING LAKE**

Requested Action:

Impact 5,143 square feet (SF) of protected shoreland in order to remove existing structures; build new structures, decks, a permeable driveway, and a new septic system.

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APPROVE PERMIT

Impact 5,143 square feet (SF) of protected shoreland in order to remove existing structures; build new structures, decks, a permeable driveway, and a new septic system.

With Conditions:

1. All work shall be in accordance with plans by Jones and Beach Engineers, Inc. dated October 5, 2017 and received by the NH Department of Environmental Services (NHDES) on November 6, 2017.
2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.
3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
4. No more than 15% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
5. Native vegetation within an area of at least 1,715 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
9. Any fill used shall be clean sand, gravel, rock, or other suitable material.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).
11. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03316

KNIGHT, CHRISTOPHER

**FARMINGTON COCHECO RIVER**

11/27/2017 to 12/03/2017

Requested Action:

Impact 12,460 square feet (SF) of protected shoreland in order to re-grade an existing sloped area for the construction of a solar array within an existing gravel pit.

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APPROVE PERMIT

Impact 12,460 square feet (SF) of protected shoreland in order to re-grade an existing sloped area for the construction of a solar array within an existing gravel pit.

With Conditions:

1. All work shall be in accordance with plans by T. F. Bernier dated October 2017 and received by the NH Department of Environmental Services (NHDES) on November 7, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.
3. No more than 1% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.
4. Native vegetation within an area of at least 48,588 SF within the Natural Woodland Buffer located between 50 and 150 feet landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).
5. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.
6. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.
7. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.
8. Any fill used shall be clean sand, gravel, rock, or other suitable material.
9. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.
10. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

2017-03324

RICHARDS, ROBERT & JULIE

OSSIPPEE OSSIPPEE LAKE

Requested Action:

Impact 1,743 square feet of protected shoreland in order to replace and expand an existing retaining wall and construct a temporary access road for a pending wetland permit.

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APPROVE PERMIT

Impact 1,743 square feet of protected shoreland in order to replace and expand an existing retaining wall and construct a temporary access road for a pending wetland permit.

With Conditions:

1. All work shall be in accordance with plans by Mark E. McConkey dated October 26, 2017 and received by the NH Department of Environmental Services (NHDES) on November 7, 2017.
2. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into



areas in which impacts have not been approved.

3. No more than 26% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.

4. Native vegetation within an area of at least 3,583 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

5. This permit does not authorize the removal of trees or saplings within the waterfront buffer that would result in a tree and sapling point score below the minimum required per RSA 483-B:9, V, (a), (2), (D), (iv).

6. Cleared areas within the waterfront buffer legally developed prior to July 1, 2008 may be maintained but not enlarged.

7. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project, and remain in place until all disturbed surfaces are stabilized.

8. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

9. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

10. Any fill used shall be clean sand, gravel, rock, or other suitable material.

11. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

12. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

13. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes.

The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

14. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.

2017-03343

DEYO, LUANNE/PATRICK

#### FITZWILLIAM LAUREL LAKE

##### Requested Action:

Impact 5,935 square feet of protected shoreland in order to replace the primary structure and install a septic system, propane tank and well.

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##### APPROVE PERMIT

Impact 5,935 square feet of protected shoreland in order to replace the primary structure and install a septic system, propane tank and well.

##### With Conditions:

1. All work shall be in accordance with plans by GRAZ Engineering, LLC dated October 12, 2017 and received by the NH Department of Environmental Services (NHDES) on November 9, 2017.

2. Neither the new primary structure nor the proposed septic system may be constructed until the system is approved by the NHDES Subsurface Systems Bureau.

3. Orange construction fencing shall be installed at the limits of the temporary impact area as shown on the approved plans prior to the start of work and shall be maintained throughout the project in order to prevent accidental encroachment into areas in which impacts have not been approved.

4. No more than 8.52% of the area of the lot within the protected shoreland shall be covered by impervious surfaces unless additional approval is obtained from NHDES.

5. Native vegetation within an area of at least 2,959 sq. ft. within the Natural Woodland Buffer located between 50 and 150 ft. landward of the reference line shall be retained in an unaltered state in order to comply with RSA 483-B:9, V, (b), (2).

6. Erosion and siltation control measures shall be installed prior to the start of work, be maintained throughout the project,

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and remain in place until all disturbed surfaces are stabilized.

7. Erosion and siltation controls shall be appropriate to the size and nature of the project and to the physical characteristics of the site, including slope, soil type, vegetative cover, and proximity to wetlands or surface waters.

8. No person undertaking any activity in the protected shoreland shall cause or contribute to, or allow the activity to cause or contribute to, any violations of the surface water quality standards established in Env-Wq 1700.

9. Any fill used shall be clean sand, gravel, rock, or other suitable material.

10. Within three days of final grading or temporary suspension of work in an area that is in or adjacent to wetlands or surface waters, all exposed soil areas shall be stabilized by seeding and mulching during the growing season, or if not within the growing season, by mulching with tack or netting and pinning on slopes steeper than 3:1.

11. The individual responsible for completion of the work shall utilize techniques described in the New Hampshire Stormwater Manual, Volume 3, Erosion and Sediment Controls During Construction (December 2008).

12. This permit shall not be interpreted as acceptance or approval of any impact that will occur within wetlands jurisdiction regulated under RSA 482-A including all wetlands, surface waters and their banks, the tidal-buffer zone, and sand dunes.

The owner is responsible for maintaining compliance with RSA 482-A and Administrative Rules Env-Wt 100 - 900 and obtaining any Wetland Impact Permit that may be required prior to construction, excavation or fill that will occur within Wetlands jurisdiction.

13. This permit shall not preclude NHDES from taking any enforcement or revocation action if NHDES later determines that any of the structures depicted as "existing" on the plans submitted by the applicant were not previously permitted or grandfathered.